

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL WRIT PETITION NO.1076 OF 2007

UTI Bank Limited & Ors. Petitioners
Vs.
S.P. Apsingekar & Anr. Respondents

Shri Vinit Jain for the Petitioners.

Shri P.S. Hingorani, APP, for the Respondents.

CORAM: R.M.S. KHANDEPARKAR &
Smt. V.K. TAHILRAMANI, JJ.

DATED: AUGUST 02, 2007

P.C:

1. On oral motion made by the learned Advocate for the petitioners, the petition is allowed to be withdrawn and stands disposed of accordingly.

2. The learned Advocate for the petitioners has sought liberty to the petitioners to apply to the trial Court for exemption from their appearance in the course of the proceedings. In fact, there is no need for grant of such liberty. It will be for the petitioners to move the necessary application in that regard which the trial Court will have to decide in accordance with the provisions of law and in exercise of its discretion. Mere withdrawal of the petition would neither come in the way of the petitioners in moving such an application nor it will compel the trial Court to grant such

exemption. The order on any such application, if filed by the petitioners, shall be entirely in accordance with the provisions of law and in the discretion of the trial Court.

3. It is made clear that this Court has not expressed any opinion on any of the points sought to be raised in the matter.

4. With these observations, the petition is disposed of.

(Smt.V.K.Tahilramani, J.)

(R.M.S.Khandeparkar, J.)

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